

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Kendall v. Brazil

Kendall v. Brazil · No. 2:24-cv-3801 CSK P · Decided February 28, 2025

SUMMARY

The court recommends denying Adam Kendall’s motion for a temporary restraining order and preliminary injunction in his civil rights action against prison officials. The court concludes that the requested relief concerning transfer, housing at Mule Creek State Prison, and custody classification lacks a sufficient nexus to the claims pleaded in the complaint, and that unrelated conditions-of-confinement allegations at California State Prison, Corcoran cannot be considered in this action. The court also directs assignment of a district judge and advises the parties regarding objections to the findings and recommendations.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Chi Soo Kim
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	February 28, 2025
DOCKET	2:24-cv-3801 CSK P
DISPOSITION	other
PROCEDURAL POSTURE	A state prisoner brought a 42 U.S.C. § 1983 action and moved for a temporary restraining order and preliminary injunction. A magistrate judge issued findings and recommendations recommending denial of the motion and directed assignment of a district judge.
STANDARD OF REVIEW	A temporary restraining order or preliminary injunction requires the movant to clearly establish likelihood of success on the merits, likelihood of irreparable harm absent relief, that the balance of equities favors relief, and that an injunction is in the public interest. The requested injunction must also bear a nexus to the claims in the complaint and, under the PLRA, be narrowly drawn, extend no further than necessary, and use the least intrusive means necessary to correct the harm.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

Adam Kendall v. Brazil, et al.

TOPICS

injunctions

prisoners rights

joinder

civil procedure

due process

PRACTICE AREAS

civil procedure

prisoner civil rights

constitutional law

injunctive relief

QUESTIONS PRESENTED

1. Whether plaintiff was entitled to a temporary restraining order or preliminary injunction preventing his transfer back to Mule Creek State Prison and requiring placement at another facility.
2. Whether the court had authority to grant injunctive relief concerning incidents and claims arising at California State Prison, Corcoran, that were not pleaded in the complaint.
3. Whether plaintiff had a constitutional right to a particular prison classification, custody level, or prison placement.
4. Whether allegations concerning unrelated conditions of confinement at California State Prison, Corcoran, could be joined with the claims concerning events at Mule Creek State Prison.

HOLDINGS

1. The motion for a temporary restraining order and preliminary injunction should be denied because the requested relief was not based on the claims pleaded in the complaint.
2. Plaintiff was not entitled to an injunction restoring a level-three override or requiring housing at a particular prison because prisoners generally have no constitutional right to a particular classification status, custody level, or prison placement.
3. Claims concerning alleged excessive force, sleep deprivation, and denial of legal materials at California State Prison, Corcoran could not be considered as part of the motion because they arose from different events and involved different personnel from the claims concerning Mule Creek State Prison.

KEY QUOTATIONS

“When a Plaintiff seeks injunctive relief based on claims not pled in the complaint, the court does not have the authority to issue an injunction.” (at 4)

“Inmates do not have a right to be housed in any particular prison.” (at 5)

“Unrelated claims against different defendants, however, must be pursued in separate lawsuits.” (at 6)

FACTUAL BACKGROUND

Adam Kendall, a California state prisoner, alleged that while housed at Mule Creek State Prison he experienced retaliation, an unreasonable strip search, excessive force, deliberate indifference, and related state-law violations, resulting in numerous rule-violation reports. He was later housed at California State Prison, Corcoran, where he

alleged that he remained in restrictive housing, suffered excessive force and sleep deprivation, and lacked legal materials. His motion sought to prevent a return to Mule Creek State Prison and to obtain placement at another facility, although those requested conditions and incidents were not the subjects of the complaint's requested injunction.

PROCEDURAL HISTORY

Plaintiff filed a civil-rights complaint and a motion seeking to prevent his transfer back to Mule Creek State Prison, restore a level-three override, and obtain other injunctive relief. The court requested a response from the California Attorney General, received the response and plaintiff's reply, and recommended denial because the requested relief concerned claims and circumstances not presented in the complaint. The findings and recommendations were submitted to the assigned district judge under 28 U.S.C. § 636(b)(1), subject to objections.

DISPOSITION

other

CASES CITED

- *Houston v. Lack*, 487 U.S. 266, 270 (1988)
- *Douglas v. Noelle*, 567 F.3d 1103, 1108-09 (9th Cir. 2009)
- *Cal. Indep. Sys. Operator Corp. v. Reliant Energy Servs., Inc.*, 181 F. Supp. 2d 1111, 1126 (E.D. Cal. 2001)
- *Granny Goose Foods, Inc. v. Bhd. of Teamsters & Auto Truck Drivers Local No. 70*, 415 U.S. 423, 439 (1974)
- *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008)
- *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131, 1135 (9th Cir. 2011)
- *Pac. Radiation Oncology, LLC v. Queen's Med. Ctr.*, 810 F.3d 631, 633, 636 (9th Cir. 2015)
- *Beaton v. Miller*, 2020 WL 5847014, at *1 (E.D. Cal. Oct. 1, 2020)
- *Villery v. California Dep't of Corr.*, 2016 WL 70326, at *3 (E.D. Cal. Jan. 6, 2016)
- *Gilmore v. People of the State of California*, 220 F.3d 987, 998-99 (9th Cir. 2000)
- *Devose v. Herrington*, 42 F.3d 470, 471 (8th Cir. 1994)
- *Myron v. Terhune*, 476 F.3d 716, 718 (9th Cir. 2007)
- *Hernandez v. Johnston*, 833 F.2d 1316, 1318 (9th Cir. 1987)
- *Meachum v. Fano*, 427 U.S. 215, 224-25 (1976)
- *George v. Smith*, 507 F.3d 605, 607 (7th Cir. 2007)
- *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991)